

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|---------------|---|-----------------|------------------|
| Applicant(s): | David K. Howington | | |
| Assignee: | Atronic International GmbH (reassigned) | | |
| Title: | System And Method For Casino Management | | |
| Serial No.: | 09/981,653 | Filing Date: | October 18, 2001 |
| Examiner: | Daniel Lastra | Group Art Unit: | 3688 |
| Docket No.: | MIS-P-104 | Conf. no. | 7566 |

San Jose, California
August 20, 2008

Mail Stop Appeal Brief
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Dear Commissioner:

This replies to the examiner's Answer dated June 20, 2008.

The examiner combines Applicant's Background of the Invention with Blad and Moore and concludes that the combination makes Applicant's invention obvious. Applicant's invention is a computerized casino management system that enables the casino operator to simply enter, into a database, a location identifier corresponding to a location on the casino floor, and the system generates a report identifying the various gaming machines that have occupied the same location. In this way, the casino can quickly compare the relative performances of all the machines that have occupied the same location. The various independent claims all contain this basic feature and include additional elements.

The Background of the Invention states that the prior art casino database systems can only track the performance of a gaming machine by entering the machine's attached placard number into the database, where the placard number is assigned to that machine by the casino. A report about that machine would then be generated. Such casino management systems were not able to identify all machines that occupied a particular location by entering the location into the database.

Blad describes a monitoring system where performance data of coin-operated machines (such as slot machines) is automatically generated and transmitted by the coin-operated machines to a central site. Paragraph 0047 states that the “data typically contains a machine ID, a time stamp, coin drop information, or other similar information from the remote coin-operated machines 102....” Nowhere is it suggested in Blad that current and past locations of the machines are stored in the database and that a user can just enter a location and see all the machines that have occupied that same location so the respective performances of the various machines at that location can be compared to each other. Blad is concerned about current performance data.

The examiner cites **Moore** for its teaching of using a GPS locator on vending machines to track their locations. Moore is directed to vending machines that vend products. A customer selects a desired product at a first vending machine. If the desired product is depleted in the first vending machine, the Moore system automatically determines the closest vending machine that has the desired product and conveys the location to the customer so the customer can then travel to the other vending machine to buy the product. The examiner cites to sections of Moore showing that Moore tracks the **present** locations of vending machines.

On page 15 of the examiner’s Answer, the examiner stated,

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Blad would add the Moore’s location detection device to his vending machine performance system in order to track vending machines geographic locations and performance data (i.e. machine paid out, product stock availability) and it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Blad would store said vending machine geographic location data and performance data, unique machine identifier data and time stamp data in a central data base in order to allow users to filter, structure queries or other manipulate said data for either individual vending machines or for a plurality of vending machines. Therefore, contrary to Appellant’s claimed argument, Applicant’s background of the invention, Blad and Moore teach Appellant’s claimed invention.

In response to similar arguments by the examiner, Applicant has responded that the prior art would, at most, track the current location of machines. Any past locations of the machines would be irrelevant to Blad and Moore and would be overridden in the database by the current location. Blad never suggested that the data that could be manipulated and filtered included the location of the machine. The Blad data specified included “a machine ID, a time stamp, coin drop information, or other similar information from the remote coin-operated machines 102....” Since Moore only equips his vending machines with a GPS feature for the

purpose of identifying where the closest vending machine is that is stocked with the customer's desired product, there could be no suggestion to use Moore's GPS feature for the unrelated use of maintaining a database of all previous locations of a gaming machine in a casino.

In response to Applicant's argument above, the examiner states on page 16 of the Answer that it would have been obvious for Blad to include a geographic location using Moore's system and would store the location data with performance data in a central database to allow user to run queries based upon the location identifier, unique machine identifier, performance data, and time data. However, even if Blad and Moore were combined, Blad would just replace any past location data of a machine with the current location data in the database, since Blad and Moore have no reason to retain past location data or recall past location data. **Part of the inventiveness of Applicant's claims is the realization that readily comparing the performance of gaming machines that have occupied the same location is a valuable feature in a casino management system.** The examiner seems to take this fact for granted and is simply combining technical features from different systems when there is no suggestion for the combination in a casino management system.

On page 17 of the examiner's Answer, the examiner takes issue with the Applicant previously arguing that the Moore invention is not related to "slot machines," while the claims only recite "gaming machines" in a casino. However, "gaming machines" in a casino are extremely different from vending machines that stock products which eventually run out. The **only** reason Moore provides a GPS feature on his vending machines is to convey to a customer the nearest location of a vending machine that has the desired product in stock. Therefore, Applicant's "impermissible hindsight" argument that the Moore system is unrelated to gaming machines in a casino is a good one, and one skilled in the art would not look to Moore's system when developing a casino management database.

In summary, even if the prior art were combined to create a casino management system, it would be impermissible hindsight to further modify the combination to provide a feature enabling a casino operator to identify a specific location in the casino and obtain data on all the gaming machines that occupied that location, since the Blad and Moore systems are unconcerned with the past locations of their machines and, in the Blad and Moore systems, the current location of a machine would logically replace any previous location of the machine in a database.

Accordingly, it is respectfully submitted that all pending claims are allowable. If the examiner has any questions, the examiner is requested to call the undersigned at 408-382-0480 x202.

Certificate of Electronic Transmission
I hereby certify that this correspondence is being submitted electronically to the United States Patent and Trademark Office using EFS-Web on the date shown below.

/Brian D Ogonowsky/
Attorney for Applicant(s)

August 20, 2008
Date of Signature

Respectfully submitted,

/Brian D Ogonowsky/

Brian D. Ogonowsky
Attorney for Applicant(s)
Reg. No. 31,988
Patent Law Group LLP
2635 N. First St.
Suite 223
San Jose, CA 95134
Tel (408) 382-0480 x202
Fax (408) 382-0481